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JUN 25 1979

WATER RIGHTS

NOTICE TO WATER APPROPRIATOR

By

STATE OF WYOMING

County of

SUPERINTENDENT WATER DIVISION NO. 4

This certifies that I served a true and correct copy of the within Notice to Water Appropriator, on the

Theresa Mills

01

Wyoming

19

Don Mills

vs

Montana Machine

(unintelligible) 1979  
Shirley

You are hereby notified that a Headgate and a Measuring Flume, or Weir must be con-

structed and placed in the

Ditch, diverting water from

on or before July 15, 1979

The location of said works to be at or near the point of diversion from the stream, and to be built in such manner that the works can be regulated by the Water Commissioner and locked.

It is my understanding that an order for Marshall Stone to remove the water from Sweet Fork and Sally Springs is forth coming from the State of Wyo. This order is so that proper diversion of water might obtained between the above named parties.

Also a by pass for water from Sally Springs must be installed this summer.

This notice is given in accordance with the provisions of Section 41-71, Wyoming Statutes, 1957, and must be complied with on or before the date specified, as the Water Commissioner has been ordered to proceed in accordance with the law in case of failure to comply.

John A. Teichert  
Superintendent Water Division No. 4

SECTION 41-71, WYOMING STATUTES, 1957—"The owner or owners of any ditch or canal shall maintain, to the satisfaction of the Division Superintendent of the division in which the irrigation works are located, a substantial headgate at the point where the water is diverted, which shall be of such construction that it can be locked and kept closed by the Water Commissioner; and such owners shall construct and maintain when required by the division superintendent, flumes or other measuring devices at such points along such ditch as may be necessary for the purpose of assisting the Water Commissioner in determining the amount of water that is to be diverted into said ditch from the stream, or taken from it by the various users. Any and every owner or manager of a reservoir, located across or upon the bed of a natural stream, shall be required to construct and maintain, when required by the Division Superintendent, a flume or measuring device of a plan to be approved by the State Engineer, below such reservoir at a point not to exceed 600 feet distant therefrom, and a flume or measuring device above such reservoir, for purpose of assisting the Water Commissioner or Superintendent in determining the amount of water to which prior appropriators are entitled and thereafter diverting it for such prior appropriator's use. When it may be necessary, for the protection of other water users, the Division Superintendent has authority to require flumes to be installed along the line of any ditch. If any such owner or owners of irrigation works shall refuse or neglect to construct and put in such headgates, flumes or measuring devices after ten (10) days' notice to do so by Division Superintendent, it shall be the duty of the Water Commissioner of the district in which such headgate is located, on order of the Division Superintendent, to close such ditch to the passage of water, and the same shall not be opened or any water diverted from the source of supply, under the penalties prescribed by law for the opening of headgates lawfully closed, until the requirements of the Division Superintendent as to such headgate, flumes or measuring device have been complied with, and if any owner, or manager of a reservoir located across the bed of a natural stream shall neglect or refuse to put in such measuring device after ten (10) days' notice to do so by the Division Superintendent, the Water Commissioner shall open the sluice-gate or outlet of such reservoir and the same shall not be closed under penalties of the law for changing or interfering with headgates, until the requirements of the Division Superintendent as to such measuring devices are complied with."

I hereby accept service of the within notice, specially waiving any other notice by sheriff or otherwise.

Date, 19

Signed